

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:)	Bankruptcy No. 15-24021-GLT
Christopher E. Benson)	Chapter 13 _____
Debtor)	Related to Dkt. No. 60
Christopher E. Benson)	
Movant)	Response 09/05/2019
vs)	Hearing: 09/11/2019 at 10:30 a.m.
Nationstar Mortgage LLC, d/b/a Mr. Cooper)	
Peoples Natural Gas Company LLC)	
Internal Revenue Service, LLC)	
PA Department of Revenue)	
ECSL, Resurgent Capital Service/Sherman)	
)	
Ronda J. Winnecour, Chapter 13 Trustee)	
Respondent)	

AMENDED ORDER CONFIRMING DEBTOR'S AMENDED MOTION FOR A
CHAPTER 13 SALE OF PROPERTY FREE AND DIVESTED OF LIENS
AND ENCUMBRANCES IN ACCORDANCE
WITH LOCAL BANKRUPTCY RULE 6004-2 WITH THE CONSENT
OF THE CHAPTER 13 TRUSTEE

AND NOW, this 9th day of September, 2019 on consideration of the Amended *Motion for Sale of Property Free and Divested of Liens* and encumbrances in accordance with Local Bankruptcy Rule 6004-2 to Daniel Blevins with a mailing address of 724 Wheatland Circle Bridgeville, PA 15017.

(1) Service at service of the *Notice of Hearing* and *Order* setting hearing on said *Motion* for private sale of real property free and divested of liens of the above named Respondents, was effected on the following secured creditors whose liens are recited in said *Motion* for private sale, viz:

DATE OF SERVICE

NAME OF LIENOR AND SECURITY

August 23, 2019

Nationstar Mortgage LLC, d/b/a
Mr. Cooper
c/o Jay Bray, CEO
Lake Vista 4
800 State Highway 121 Bypass
Lewisville, TX 75067

Allegheny County
c/o Jordan Tax Service
c/o John Weinstien, Tax Collector
102 Rahway Dr
Canonsburg, PA 15317

South Fayette School District
c/o Kevin P. Biber, Tax Collector
515 Millers Run Road
South Fayette PA 15064

South Fayette Township
c/o Kevin P. Biber, Tax Collector
515 Millers Run Road
South Fayette PA 15064

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of serviced duly filed and that the named parties were duly served with the Motion.

(3) That said sale hearing was not required to be advertised pursuant to Local Rule 6004-2 (SALE OF PROPERTY WITHOUT PUBLICATION).

(4) That at the sale hearing the highest/best offer received was that of the above Purchaser(s) and no objections to the sale were made which would result in cancellation of said sale.

(5) *That the price of \$143,500.00 (This represents the difference of the Sales price of \$150,000.00, less a seller credit of \$6,500.00) offered by Daniel Blevins (Buyer) was a full and fair price for the property in question.*

(6) That the Purchaser(s) has acted in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F2d. 143 (3d Cir. 1986).

NOW THEREFORE, it is hereby **ORDERED, ADJUDGED AND DECREED** that the sale by Special Warranty deed of the real property described as **724 Wheatland Circle Bridgeville PA 15017** is hereby **CONFIRMED** to **Daniel Blevins with a mailing address of 724 Wheatland Circle Bridgeville, PA 15017** for **\$143,500.00**, free and divested of the above recited liens and claims, and, that the Movant/Plaintiff is authorized to make, execute and deliver to the Purchaser(s) above named the necessary deed and/or the documents required to transfer

title to the property purchased upon compliance with the terms of sale;

It is **FURTHER ORDERED**, that the above recited liens and claims, be, and they hereby are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

It is **FURTHER ORDERED**, that the following expenses/costs shall immediately be paid at the time of closing. *Failure of the Closing Agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions*, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and hearing.

(1) The following lien(s)/claim(s) of Christopher E. Benson in the amounts of:

a. Nationstar Bank, dba Mr. Cooper in the amount of \$119,820.33
TBD at closing est. at

(2) Court approved attorney fees subject to Bryan P. Keenan \$750.00
in the amount of payable to "Bryan P. Keenan & Associates, P.C.
993 Greentree Road, Suite 101, Pittsburgh, PA 15220";

(3) Court filing fee to be reimbursed to Debtor's Counsel \$181.00
for filing the Motion to Sell Property of the Estate Free
and Clear of Liens Under 11 U.S.C. § 363(f) payable to
"Bryan P. Keenan & Associates, P.C.
993 Greentree Road, Suite 101, Pittsburgh, PA 15220";

(4) Estimated closing expenses: \$7,971.70

a) State and Local Transfer Tax;	\$3,000.00
b) Lenders Title Insurance	\$1,460.00
c) Settlement or Closing Fee;	\$225.00
d) Courier Message Fee	\$60.00
e) Deed Preparation	\$75.00
f) Appraisal	\$525.00
g) Pest Inspection	\$75.00
h) Recording Fees/Services	\$358.50
i) Loan Origination Fee:	\$1,500.00
j) Appraisal Fee:	\$525.00
k) Closing Protection Letter	\$125.00
l) Capitalization Charge pd by Buyer	\$568.20

(5) Seller Credit: \$6,500.00

(6) Estimated amount to be paid over to the Chapter 13 Trustee, Ronda J. Winnecour to pay 100% of the general unsecured non priority creditors and related trustee fees, which are subject to any deficiency determined at audit being paid in as a condition of discharge).

a. General Unsecured Non-Priority Creditors . \$107.15;
b. Trustee Fees: \$50.00

* These fees shall be paid payable to "Ronda J. Winnecour, Ch. 13 Trustee, at P. O. Box 84051 Chicago, IL 60689-4002. The sellers name, **Christopher E. Benson, and Case # 15-24021-GLT**, must be set forth in the memo section of this check.

(7) Net proceeds payable to" Christopher E. Benson TBD at closing estimated at \$14,619.82

It is **FURTHER ORDERED** that:

(1) *Within seven (7) days of the date of this Order*, the Movant/Plaintiff shall serve a copy of the within *Order* on each Respondent/Defendant (i.e., each party against whom relief is sought)and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney for the debtor, the Closing Agent, the Purchaser, and the attorney for the Purchaser, if any, and file a Certificate of Service.

(2) *Closing shall occur within thirty (30) days of this Order.*

(3) *Within seven (7) days following closing*, the Movant/Plaintiff shall file a *Report of Sale* which shall include a copy of the HUD-1 or other Settlement Statement; and,

(4) This *Sale Confirmation Order* survives any dismissal or conversion of the within case.

By the Court



Honorable Gregory L. Taddonio
United States Bankruptcy Judge

Movant shall serve a copy of this Order on the respondents, their counsel, the Trustee, and the US trustee. Movant shall file a Certificate of Service within (3) business days.

/s/ Owen Katz
Owen Katz, Esquire,
Attorney for Chapter 13 Trustee
US Steel Tower – Suite 3250
600 Grant St.
Pittsburgh, PA 15219
(412) 471-5566
E-mail: okatz@chapter13trusteewdpacom
Attorney for Trustee

/s/ Bryan P. Keenan
Bryan P. Keenan, PA ID No. 89053
Bryan P. Keenan & Associates P.C.
Attorney for Debtor
993 Greentree Road, Suite 101
Pittsburgh, PA 15220
(412) 922-5116
keenan662@gmail.com
Attorney for Debtor

Certificate of Notice Page 6 of 6
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Christopher E. Benson
Debtor

Case No. 15-24021-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: bsil
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 10, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 12, 2019.

db #+Christopher E. Benson, 724 Wheatland Circle, Bridgeville, PA 15017-1121

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 12, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 10, 2019 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Nationstar Mortgage LLC andygornall@latouflawfirm.com
Bryan P. Keenan on behalf of Debtor Christopher E. Benson keenan662@gmail.com,
melindap662@gmail.com
James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC bkgroup@kmllawgroup.com
Joshua I. Goldman on behalf of Creditor Nationstar Mortgage LLC bkgroup@kmllawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmeccf@chapter13trusteedpda.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 7